



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: December 1, 2004

REPORT NO. HO-04-189

ATTENTION: Hearing Officer

SUBJECT: RACHAL RESIDENCE-II
PROJECT NO. 5913

LOCATION: 5275 Cromwell Court

OWNER/
APPLICANT: Michael Rachal

SUMMARY

Requested Action - Should the Hearing Officer approve Site Development Permit No. 9733 to allow the construction of a new single family residence?

Staff Recommendation –

1. CERTIFY Mitigated Negative Declaration No. 5913 and ADOPT Mitigation, Monitoring and Reporting Program (MMRP); and
2. APPROVE Site Development Permit No. 9733;

Community Planning Group Recommendation - On July 1, 2003, the Normal Heights Community Planning Committee voted 8-0-1 to recommend approval of the proposed project with no conditions (See Attachment 6).

Environmental Review – A Mitigated Negative Declaration has been prepared for this project which addresses potential impacts to Land Use (Multiple Species Conservation Program). A Mitigation, Monitoring and Reporting Program would be implemented with this project to reduce the impacts to a level below significance.

Fiscal Impact - None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement –The 0.49-acre site is currently undeveloped, and the proposed single-family residence would constitute a gain of one single-family residence to the Normal Heights neighborhood.

BACKGROUND

The 0.49-acre project site is located at 5275 Cromwell Court in the Normal Heights neighborhood of the Mid-City Communities Planning area, and is split-zoned RS-1-1 (Residential- Single Unit; minimum 5,000 square-foot lot), RS-1-7 (Residential- Single Unit; minimum 40,000 square-foot lot), and OR-1-1 (Open Space- Residential; limited private residential development) within the Central Urbanized Planned District (Attachment 2). The Mid-City Communities Plan designates the subject site for residential use at 1-5 dwelling units per acre and open space (Attachment 3).

The site is currently undeveloped, partially disturbed, and contains Environmentally Sensitive Lands in the form of steep hillsides. The disturbed western portion of the property (63.75% of the lot) is devoid of native vegetation and is relatively flat (slopes less than 25%) with an elevation of approximately 390 feet above mean sea level (AMSL). The eastern portion of the property (35.25% of the lot) contains native vegetation which slopes eastward to 340 AMSL and contains slopes greater than 25%. A relatively small portion of the site, approximately 2,000 square feet, is mapped within the Multi-Habitat Planning Area (MHPA) of the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan area.

DISCUSSION

The applicant is proposing the construction of a split-level, 3,149 square-foot, single-family residence with an attached 1,430 square-foot, three-car garage on a 20,158 square-foot lot. The proposed structure would include a foyer, half-bathroom, kitchen, living/dining room, and garage at grade level; and three bedrooms, two bathrooms, and laundry room on the lower level. An internal stairway would connect the two levels. The proposed structure would not exceed 30 feet at its highest point and complies with the development regulations of the underlying zones. The proposed project would not require any deviations and/or variances from the development regulations, however, pursuant to Section 126.0502(a)(2)(B) of the Land Development Code a Site Development Permit (Process 3) is required because environmentally sensitive lands are present on the proposed development site.

Community Plan Analysis

The project site is located within the Normal Heights neighborhood of the Mid-City Communities Plan which designates the subject site for residential use at 1-5 dwelling units per acre and open space. The Normal Heights planning area consists of three smaller neighborhoods

titled Adams North, Adams Park, and Cherokee Park. The project site is located within the Adams North neighborhood.

The Adams North neighborhood is best characterized by the steep slopes of Mission Valley along its northern boundary and Adams Avenue business district at its southern edge. Single family homes near the valley rim give way to duplex development and apartments near Adams Avenue. The proposed single-family residence implements two of the community goals by “preserving environmental resources” (steep hillsides and open space), and by “building of excellent design within the framework of a community order of appropriately arranged land uses.”

Community Group Recommendation

On July 1, 2003, the Normal Heights Community Planning Committee voted 8-0-1 to recommend approval of the proposed project with no conditions.

Multi-Habitat Planning Area (MHPA)

An analysis of MHPA maps by City staff determined that the proposed project would encroach into the MHPA of the City of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan. Therefore, the submittal of a biological survey report was required. The biology report evaluated the project’s conformance with the City of San Diego MSCP Subarea Plan. The biology report included an evaluation of the existing MHPA boundary and determined, based on “ground-truthing” (mapping vs. actual field investigation) of biological resources that no coastal sage scrub habitat exists within the mapped on-site portion of the MHPA and therefore a boundary line correction was proposed. The MHPA boundary correction was presented to wildlife agency staff for their concurrence on December 10, 2003, and the wildlife agency staff determined that the boundary correction could be supported.

Despite the MHPA boundary line correction, the subject parcel is still adjacent to the MHPA of the MSCP Subarea Plan. As a result, the development must conform to the applicable Land Use Adjacency Guidelines (Section 1.4.3) of the MSCP Subarea Plan. As such, no invasive non-native plant species would be planted in or adjacent to the MHPA, lighting would be directed away from the MHPA, fencing would reduce domestic pet predation, and storm water runoff would not be allowed to drain directly into the MHPA. The mitigation measures outlined in Section V. of the Mitigated Negative Declaration under “Land Use (Multiple Species Conservation Program)” would reduce any potential impacts to the MHPA to a level below significance.

CONCLUSION

Staff has reviewed the request for Site Development Permit No. 9733 to allow the construction of a new single-family residence on the 20,158 square-foot site. Staff has determined the development does not adversely affect the residential land use designation of the Mid-City

Communities Plan and that the required findings can be made in the affirmative to approve the project. The project meets the applicable San Diego Municipal Code regulations, and the Central Urbanized Planned District regulations. Therefore, staff recommends that the Hearing Officer certify Mitigated Negative Declaration, adopt the Mitigation, Monitoring and Reporting Program (MMRP), and approve the project as proposed.

ALTERNATIVES

1. Approve Site Development Permit No. 9733 with modifications.
2. Deny Site Development Permit No. 9733 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Jeffrey A. Peterson
Development Project Manager
Development Services Department

PETERSON:JAP

Attachments:

1. Aerial Photograph
2. Project Location Map
3. Community Plan Land Use Map
4. Project Data Sheet
5. Project Plans (Reduced)
6. Community Planning Group Recommendation
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Ownership Disclosure Statement
10. Project Chronology
11. Copy of Public Notice
12. Copy of Project Plans (Full size-forwarded to HO)
13. Copy of Environmental Document (forwarded to HO)

Job Order Number 42-1436